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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/403,095

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JOONAS KETURI

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EXAMINER

HARPER, KEVIN C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/403,095

Applicant(s)

KETURI, JOONAS

Examiner

Kevin C. Harper

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 4,9-12 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed December 12, 2005 have been fully considered but they are not persuasive.

1. Applicant argued that Barzegar does not disclose that classifying mobile communication systems into at least two different classes on the bases of the content of a message from a terminal and the protocol used towards the terminal is selected on the bases of the class of the terminal in question. However, several networks (fig. 107) are available for communication to a wireless communications device, where a network transmits packets according to the CDPD standard (col. 2, lines 29-32). The combination of the router and network gateway determines the correct format (content) of a data packet sent from the mobile and how to format a data packet transmitted to a mobile (col. 3, lines 46-50; col. 3, lines 16-21).
2. Applicant argued that Barzegar does not disclose that the format of a message from a terminal is determined to be CDPD. However, the CDPD protocol is used by the terminal (col. 5, lines 13-15 and 31-33) and the format of a message to the terminal is chosen to be CDPD based on the content of the packet from the terminal (col. 3, line 46-50 and 17-20).

Specification

This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required. Applicant indicated that an abstract was present on the transmittal letter for the national filing October 1999, but an abstract was not found in the national filing documents.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 5-8, 13, 15-16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Barzegar et al. (US 5,894,478).

3. Regarding claims 1 and 8, Barzegar discloses a method for an information server (fig. 1, item 104 and 106) having means and function for establishing a data connection between a mobile communications system (items 107 and item 108) having several terminals (col. 1, lines 26-30) and another telecommunication system (fig. 1, item 102-104) supporting several protocols (col. 2, lines 51-56). The method comprises receiving messages from a terminal, converting them into a format compatible with a protocol of the other telecommunications system and transmitting them to the telecommunications system (fig. 4; col. 5, lines 20-23), and receiving information from the other telecommunication system, converting it into a format compatible with a protocol of a mobile communications system and transmitting it to the mobile communications system (col. 5, lines 5-15). The terminals are classified into at least two different classes based on the content of the message (fig. 4, item 401; fig. 1, items 107 and fig. 2, items 203 and 207-208; col. 3, lines 17-20) and the protocol used is selected based on the class of the terminal (col. 3, lines 46-55).
4. Regarding claim 3, the criterion is determined based on the header of a protocol layer of the message from the terminal (fig. 4, item 401; col. 3, lines 30-35).
5. Regarding claims 5-7, 13 and 18, the messages are formatted based on the location of the terminal (col. 1, lines 23-26 and 38-41).

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6. Regarding claims 15-16, the server is a compact network element (fig. 2; col. 3, lines 10-13) and has distributed by network functions (items 104 and 106).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barzegar et al. (US 5,894,478) in view of Tso et al. (US 6,185,625).

7. Regarding claims 14 and 17, Barzegar discloses a wireless communications network for transmitting data. However, Barzegar does not disclose that the wireless devices are connected to the Internet. Tso discloses wireless devices connected to the Internet (col. 1, lines 41-47). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to connect to the Internet from a wireless terminal in the invention of Barzegar in order to allow a user to view the Internet while traveling or while outside with a laptop computer. Further, Barzegar does not disclose a memory for storing the most used information from the other telecommunications system. Tso discloses a server cache for storing information from the Internet (col. 6, lines 46-52). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a cache of information in the invention of Barzegar in order to prevent repeatedly retrieving the same Internet data (Tso, col. 6, lines 50-52).

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Allowable Subject Matter

8. Claims 4, 9-12 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached at 571-272-3179. The centralized fax number for the

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Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

March 5, 2006



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PERMISSORY PATENT EXAMINER
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